
Appeal Decision

Site visit made on 1 October 2019

by Rajeevan Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th November 2019

Appeal Ref: APP/C1950/W/19/3234167

15A Briary Wood Lane, Welwyn AL6 0TE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms K Osthussain against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2019/0319/FULL, dated 11 February 2019, was refused by notice dated 17 April 2019.
 - The development proposed is the erection of a two-bedroom, two-storey house with associated access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Welwyn Hatfield Borough Council Draft Local Plan (the Draft Local Plan) has been published but has yet to be examined and found sound. Therefore, it attracts limited weight as a material consideration.

Main Issue

3. The main issue is the effect of the proposed dwelling on the character and appearance of the area.

Reasons

4. The appeal site is located within a residential area. The site is occupied by a single detached dwelling and garage on a large rectangular plot. The immediate area (including properties to the rear of the site on Dolesbury Drive and Canons Field) is largely characterised by detached properties in substantial plots with long rear gardens of varying architectural styles. In particular during my site visit I noted that these long landscaped rear gardens in the area contribute to the open and verdant setting. Furthermore, I note that properties to the rear of the site on Dolesbury Drive and Canons Field also exhibit these spatial qualities.
5. The proposal would result in the subdivision of the existing residential plot and the erection of a two-bedroom, two-storey house built within the rear garden of the existing dwelling, which would contrast unfavourably with the existing

pattern of development in the area. In particular, this section of the lane, is largely characterised by the detached properties, fronting the lane with large rear gardens. As such, the proposed backland development would erode the openness of the site and would not respect the existing pattern of development in the locality.

6. Whilst new development need not necessarily replicate its surroundings, the position of the dwelling, would be distinctly at odds with neighbouring properties, and would result in an incongruous dwelling that would have a harmful effect on the character and appearance of the area.
7. The architectural design of the proposal would be acceptable given the variety of styles seen elsewhere in the area. Furthermore, the overall height of the development, with its sloping green roof would be lower than those of neighbouring properties. The appellant also seeks to retain and replace existing landscaping and trees which would further ensure that the development would be largely screened from public vantage points. The site is also within an existing residential area with access to shops, services and facilities nearby. However, these positive aspects of the proposal would not outweigh the harm I have identified as the position of new dwelling would be particularly incongruous.
8. In support of the appeal, my attention was drawn to other dwellings in the wider area. However, the location of these plots is materially different to the appeal site, and the circumstances in each proposal are likely to be different. For instance, the examples cited are located within cul-de sacs or where the road terminates (such as Nos 19 and 20 Briary Wood Lane), or are located in neighbouring streets, where the character is different. In this respect these other sites are not directly comparable to the current appeal proposal. Therefore, the existence of these does not justify the harm I have identified, and in any case, I have determined the appeal on its own merits.
9. Therefore, the proposal would result in an incongruous addition, which would be harmful to the character and appearance of the area, contrary to Policies D1 and D2, of the Welwyn Hatfield District Plan 2005, the Welwyn Hatfield District Plan Supplementary Design Guidance 2005, which amongst other things, requires all new development to be of high quality, and respect and relate to the character and context of the area in which it is proposed. The proposal would also conflict with Policy SP9 of the Draft Local Plan, which amongst other things, requires proposals to respond to character and context and relate well to their surroundings. It would also not meet the aims of paragraph 127(c) of the National Planning Policy Framework, 2019 (Framework), which amongst other things, seeks to ensure that development is sympathetic to the local character and history, including the surrounding built environment and landscape setting.

Conclusion

10. I have had regard to the contents of the appellant's statement referring to their desire to downsize and reside with an eco-friendly home in the local area, and the Framework and the Government's support for sustainable development, making the most efficient use of land and the delivery of housing. Whilst I recognise that there would also be some economic and social benefits associated with the erection of a new dwelling, I do not believe that these outweigh the harm that I have identified. For the reasons given above and

having regard to all other matters raised I conclude that the appeal should be dismissed.

R Satheesan

INSPECTOR